

PART 147—STATE UNDERGROUND INJECTION CONTROL PROGRAMS

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Subpart CC—Nebraska

§ 147.1400 State-administered program—Class II wells.

The UIC program for Class II wells in the State of Nebraska, except those on Indian lands, is the program administered by the Nebraska Oil and Gas Conservation Commission, approved by EPA pursuant to section 1425 of the SDWA.

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of Nebraska. This incorporation by reference was approved by the Director of the Federal Register on June 25, 1984.

(1) Rules and Regulations of the Nebraska Oil and Gas Conservation Commission, Rules 1 through 6 (as published by the Commission, May 1981);

(2) Revised Statutes of Nebraska, sections 57–903 and 57–906 (Reissue 1988).

(b) *Other laws.* The following statutes and regulations, although not incorporated by reference except for select sections identified in paragraph (a) of this section, are also part of the approved state-administered program:

(1) Chapter 57, Oil and Gas Conservation, Revised Statutes of Nebraska sections 57–901 through 57–922 (Reissue 1985).

(c) The Memorandum of Agreement between EPA Region VII and the Nebraska Oil and Gas Conservation Commission, signed by the EPA Regional Administrator on July 12, 1982.

(d) *Statement of legal authority.* (1) “Nebraska Underground Injection Control Program, Attorney General’s Statement for Class II Wells,” signed by Assistant Attorney General for Attorney General of Nebraska, as submitted with “State of Nebraska Request for Administration of UIC Program,” January 23, 1982;

(2) “Re: Nebraska Underground Injection Control Program, Addendum to Attorney General’s Statement for Class II Wells,” signed by Assistant Attorney General for Attorney General of Nebraska,” undated.

(e) The Program Description and any other materials submitted as part of the application or as supplements thereto.

[49 FR 20197, May 11, 1984, as amended at 52 FR 17681, May 11, 1987; 56 FR 9417, Mar. 6, 1991]

§ 147.1401 State administered program—Class I, III, IV and V wells.

The UIC program for Class I, III, IV, and V wells in the State of Nebraska, except those on Indian lands, is the program administered by the Nebraska Department of Environmental Control, approved by EPA pursuant to section 1422 of the SDWA.

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of Nebraska. This incorporation by reference was approved by the Director of the Federal Register effective June 26, 1984.

(1) Nebraska Environmental Protection Act, Revised Statutes of Nebraska sections 81–1502, 81–1506, 81–1519, and 81–1520 (Reissue 1987);

(2) Nebraska Department of Environmental Control, Title 122—Rules and Regulations for Underground Injection and Mineral Production Wells, Effective Date: February 16, 1982, Amended Dates: November 12, 1983, March 22, 1984; as amended by amendment approved by the Governor on January 2, 1989.

(b) *Other laws.* The following statutes and regulations although not incorporated by reference, also are part of the approved State-administered program:

(1) Nebraska Environmental Protection Act, Nebraska Revised Statutes sections 81–1502, 81–1506, 81–1519, and 81–1520 (Reissue 1987 and Cum. Supp. 1988);

(c)(1) The Memorandum of Agreement between EPA Region VII and the Nebraska Department of Environmental Control, signed by the EPA Regional Administrator on July 12, 1982.

(2) Addendum to Underground Injection Control Memorandum of Agreement signed by the EPA Regional Administrator on July 12, 1982.

(3) Amendments to the Memorandum of Agreement signed by the EPA Regional Administrator on November 22, 1983.

(d) *Statement of legal authority.* (1) “Nebraska Underground Injection Control Program, Attorney General’s Statement for Class I, III, IV, and V Wells,” signed by Assistant Attorney General for Attorney General of Nebraska, as submitted with “State of Nebraska Request for Administration of UIC Program, January 28, 1982;

(2) Letter from Attorney General (of Nebraska), by Assistant Attorney General, to Director, (Nebraska) Department of Environmental Control, August 7, 1981;

(3) Letter from Attorney General (of Nebraska), by Assistant Attorney General, to Director, (Nebraska) Department of Environmental Control, April 29, 1982;

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(4) Letter from Attorney General (of Nebraska), by Assistant Attorney General, to Legal Counsel, (Nebraska) Department of Environmental Control, October 18, 1983.

(e) The Program Description and any other materials submitted as part of the original application or as supplements thereto.

(42 U.S.C. 1422)

[49 FR 24134, June 12, 1984, as amended at 52 FR 17681, May 11, 1987; 56 FR 9417, Mar. 6, 1991]

§ 147.1402 Aquifer exemptions. [Reserved]

§ 147.1403 EPA-administered program—Indian lands. pro-

(a) *Contents.* The UIC program for all classes of wells on Indian lands in the State of Nebraska is

administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective date.* The effective date of the UIC program for Indian Lands in Nebraska is June 25, 1984.

[52 FR 17681, May 11, 1987, as amended at 56 FR 9417, Mar. 6, 1991]

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